

RECEIVED  
CENTRAL FAX CENTER

DEC 15 2006

CERTIFICATE OF FACSIMILE TRANSMITTAL

I hereby certify that the foregoing correspondence is being facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below to:

Date: December 15, 2006Name: Agata Glinska  
Agata Glinska

Atty Ref: 101221-651

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICATION NO. : 10/678,408  
APPLICANT : Thomas J. Karol et al.  
FILED : October 2, 2003  
FOR : Synergistic Organoborate Compositions and Lubricating  
Compositions Containing Same  
ART UNIT : 1764  
EXAMINER : Ellen M. McAvoy

Hon. Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**DECLARATION UNDER 37 C.F.R 1.132**

I, Steven G. Donnelly, hereby declare as follows:

I am a named inventor in the above-referenced application no. 10/678,408.

I am a US citizen residing in Bethel, CT.

I requested and oversaw the conducting of experiments set forth in detail in the attached Tables, and have reviewed the results in detail. The experiments are an extension of Tables 1 through 4 of the specification, wherein Samples A through S represent the new data. The protocol and testing methods follow those as originally disclosed, unless stated otherwise herein. I verify that the results are true and accurate.

**TABLE 1: OCD-289 With Other Additives Falex Pin & Vee Block Performance**  
**Base: Uninap 100SD**

Mass Percent													
	1	2	3	4	5	6	7	8	9	A	B	10	11
OCD-289	1.0						0.5	0.9	0.1	1.5	0.1	0.5	
LZ 1395 (ZDDP)		1.06		1.5	2.0	5.0	0.5	0.1	0.9	0.1	1.5		0.5
OD-896B			1.0										
% Phosphorus	0	0.10	0	0.14	0.19	0.47	.047	.009	0.08	0.009	0.142	0	.047
Falex Pin & Vee Block (500 lb 60 Minutes)													
Duration min. s = seconds	60	7s (5s)	19s (15s)	13s	15s	47	60	60	60	60	60	40	2s
		FAIL	FAIL	FAIL	FAIL	FAIL						FAIL	FAIL
Mass Loss, mg	23.0*	4.6 (69.6)	31 (275)	44.8	221	396	2.8	7.5	23.3	13.7	8.6	339	3.3

( ) = Duplicate Test; \* Average of Twenty-one tests (Range 8.7 – 60.8 mg)

**Table 2**

	Mass Percent								
	<u>12</u>	<u>13</u>	<u>14</u>	<u>15</u>	<u>C</u>	<u>D</u>	<u>E</u>	<u>16</u>	<u>17</u>
OCD-289		0.5	0.9	0.1	1.5	0.1		0.2	0.3
Vanlube 871	1.0	0.5	0.1	0.9	0.1	1.5	1.6	0.8	0.7
% Phosphorus	0	0	0	0	0	0	0	0	0
Falex Pin & Vee Block (500 lb 60 Minutes)									
Duration, min. s = seconds	48s	60	60	25s	60	60	60	1	60
	FAIL			FAIL				FAIL	
Mass Loss, mg	361	3.9	3.2	315	10.1	3.9	88	412	7.2

s = Seconds

Tests that ran under 60 minutes had excessive wear or high torque. Load could not be maintained.

le 3

## Mass Percent

	18	19	20	21	22	23	24	H	I	J	K	L	M	25	26	27	28
D-289		0.5			0.5	0.9	0.1	1.5	0.1	1.6		1.5	0.1		0.5		0.5
Hyvan 822	1.0	0.5															
Hyvan 855			1.0	0.5	0.5	0.1	0.9	0.1	1.5		1.6	0.1	1.5				
Albino AZ 50% live														2.0	1.0		
Naphthalene 6 Mo																1.0	0.5
Phosphorus	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
ex Pin & Vec ek (500 lb 60 minutes)																	
ration, min. seconds	166	60	60	60	60	60	60	60	60					3.5	60	55	7
ss Loss, mg	fail													fail		fail	fail
ex Pin & Vec ek (500 lb Minutes)	287	3.9	24.4	31.1	16.1	22.2	25.4	1.7	8.3					366	12.8	241	484
ration, min.																	
ss Loss, mg										131	162	210	210				
										fail	fail						
										296	409	7.2	13.2				

Table 4

	Mass Percent																R	S
	1	29	30	31	32	N	O	P	33	34	35	36	37	Q				
OCD-289	1.0		0.5	0.9	0.1	1.5	0.1		0.2		0.5	0.9	0.1	1.5			0.1	
Vanilube 7723		1.0	0.5	0.1	0.9	0.1	1.5	1.6	0.8									
Vanilube 7611M										1.0	0.5	0.1	0.9	0.1			1.5	1.6
%	0	0	0	0	0	0	0	0	0	0.06	0.03	0.006	0.05	0.006			0.083	0.88
Phosphorus																		
Falex Pin & Vee Block (500 lb 60 Minutes)																		
Duration, min.	60	31	60	60	4	60	60	30	60	23	60	60	60	60			60	60
Mass Loss, mg	23.0	FAIL 147.6	25.0	17.8	FAIL 436.8	11.8	69.9	fail 1,518	63.3	FAIL 126.9	9.6	13.2	23.3	0.7			0.3	2.3

\* Average of Twenty-one tests (Range: 8.7 - 60.8 mg)

Tests that ran under 60 minutes had excessive wear or high torque. Load could not be maintained.

I submit this declaration in support of the above-referenced application.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Dec. 14, 2006  
Date

Steven G. Donnelly  
Steven G. Donnelly